



## Security Council

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### Security Council Committee established pursuant to resolution 1540 (2004)

#### Letter dated 26 October 2015 from the Permanent Representative of Zambia to the United Nations addressed to the Chair of the Committee

I have the honour to submit herewith the national report on the implementation of Security Council resolution 1540 (2004) by Zambia (see annex).

(Signed) Mwaba P. **Kasese-Bota**  
Ambassador  
Permanent Representative



**Annex to the letter dated 26 October 2015 from the Permanent Representative of Zambia to the United Nations addressed to the Chair of the Committee**

**National report on the implementation of Security Council resolution 1540 (2004) by Zambia**

1. The Government of Zambia reaffirms its unwavering commitment to fulfilling the principles of the United Nations Security Council in the maintenance of international peace and security as well as the promotion of friendly relations and cooperation among States. In this regard, Zambia will continue to endeavour to contribute to the global efforts to counter the threats of international terrorism and proliferation of nuclear, chemical and biological weapons as well as the means of delivery, including by non-State actors.

2. The present report has been prepared in accordance with paragraph 4 of Security Council resolution 1540 (2004) for submission to the Committee established pursuant to the same resolution.

3. Zambia does not develop, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and neither does it provide any form of support to non-State actors that attempt to deliver, transfer or use nuclear, chemical or biological weapons and their means of delivery.

4. The country is a signatory to regional and international convention regimes and protocols aimed at countering the threat of proliferation, some of which have since been passed into domestic legislation. The following, among others, are the instruments it has signed/ratified/acceded to:

- Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, signed on 3 August 2005
- Protocol to the OAU Convention on the Prevention and Combating of Terrorism, signed on 31 January, 2010
- Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, signed on 3 August 2005
- International Health Regulations (2005)
- Outer Space Treaty, deposited 20 August 1973
- African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty), March 2002
- Partial Test Ban Treaty, deposited 11 January 1965
- Sea-Bed Treaty, deposited 9 October 1972
- State party to the revised Cotonou Agreement of 2005
- Nuclear Non-Proliferation Treaty of 1968
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction of 1993

- Convention on the Suppression of Unlawful Acts relating to International Civil Aviation of 2010 (Beijing Convention)

5. Zambia has yet to ratify other conventions and protocols, including the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material (and the Amendment to the Convention of 2005).

6. Zambia is a member of the Eastern and Southern Africa Anti-Money Laundering Group and is committed individually and collectively with other member countries to work towards the implementation of the Financial Action Task Force 40+9 Recommendations on Money-Laundering and Terrorist Financing. Zambia belongs to the following other organizations:

- International Atomic Energy Agency (IAEA)
- International Narcotics Control Board
- International Civil Aviation Organization
- World Customs Organization
- International Criminal Court
- Hague Code of Conduct against Ballistic Missile Proliferation
- Global Initiative to Combat Nuclear Terrorism

7. Zambia's legislation provides for appropriate laws and regulations to control export, transit and trans-shipment, including the enforcement of appropriate criminal or civil penalties for violations of such export control laws and regulations. There are border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation, the illicit trafficking and brokering in such items, in accordance with national legal authorities and legislation and consistent with international law. Zambia, in its continuing support for resolution 1540 (2004) has enacted, among others, the following legislation:

- Antiterrorism (Amendment) Act No. 2 of 2015
- Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons Act No. 2 of 2007
- The Environmental Management Act No. 12 of 2011, which provides for dealing with offences relating to hazardous materials and chemicals as well as their penalties
- The Penal Code, which criminalizes the illegal development, manufacturing, possession, acquisition or use of nuclear, biological and chemical weapons
- The Financial Intelligence Centre Act No. 46 of 2010, which addresses materials related to terrorist financing

8. The Government of Zambia is also in the process of establishing a centre against terrorism, which is a national body comprising all national stakeholders, to coordinate the counter-terrorism efforts of individual security agencies. This is in response to the United Nations Global Counter-Terrorism Strategy, which envisions effective counter-terrorism measures at the State level through a multi-agency approach. The amendment of the Antiterrorism Act (2007) through Antiterrorism

Act No. 2 of 2015 has made counter-terrorism efforts more responsive to the threat of terrorism and also to codify the establishment of the centre against terrorism, as part of the wider Counter-Terrorism Strategy.

9. Meanwhile, Zambia has demonstrated its commitment to countering terrorism by devising a country strategy on anti-money-laundering and combating the financing of terrorism, which spells out the country's road map in fulfilling the counter-terrorism agenda. To this effect, the Financial Intelligence Centre, established by the Finance Intelligence Centre Act No. 46 of 2010, has been operationalized. The Centre is mandated to receive, request, analyse and disseminate the disclosure of information concerning suspected money-laundering, terrorism financing and other serious offences to the competent authorities for investigation, with a view to assisting with combating money-laundering, terrorism financing and other serious offences. The fight against money-laundering and terrorism financing in Zambia and around the world is important to protect our citizens and ensure the integrity of financial institutions and national security.

#### **Accounting and security measures for related materials**

10. With regard to the accounting and security measures for related materials, the following are various measures that Zambia has implemented:

##### **(a) Nuclear weapons-specific measures**

11. This is being done through the Radiation Protection Authority, which is mandated by law to provide for the adequate protection of people against the harmful effects of ionizing radiation and for the safety and security of radiation sources, as follows:

- Legislation such as the Ionizing Radiation Protection (Amendment) Act No. 19 of 2011.
- The Ionizing Radiation Protection (General) Regulations 98 of 2011 provide for the protection of radiation facilities or materials. The Integrated Nuclear Security Support Plan is being finalized.
- Zambia has set up screening equipment such as radiation portal monitors, radionuclide identification devices and personal radiation detectors to prevent the illicit trafficking of nuclear and radioactive substances at international airports and land border points.

##### **(b) Chemical weapons-specific measures**

12. The National Chemical Weapon Convention Authority, comprising various government institutions, has been established and is headed by the Ministry of Foreign Affairs. The measures include the following:

- The Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons Act No. 7 of 2007 and the Medicines and Allied Substances Act No. 3 of 2013. Meanwhile, the national framework legislation pertaining to the chemical weapons-specific measures is also used for enforcement.
- The Organization for the Prohibition of Chemical Weapons offered training to personnel of national authorities involved in the national implementation of

the Chemical Weapons Convention in March 2015, in which the Netherlands and Zambia participated.

- Zambia participated in two courses on assistance and protection against chemical weapons; the courses were held in Switzerland and South Africa.

**(c) Biological weapons-specific measures**

13. Biological pathogens are controlled under the Biosafety Act, No. 10 of 2007, the Medicines and Allied Substances Act No. 3 of 2013, the Environmental Management Act No. 12 of 2011, the Animal Health Act No. 27 of 2010 and the Plant, Pest and Disease Act No. 13 of 1994 and Regulations.

14. The Zambia Revenue Authority uses the Automated System for Customs Data World for the monitoring of imports and exports. The Authority also has scanners to check exports and imports that are containerized and makes physical examinations of the declared documents to check for consistency with the goods observed on the scanners. The Zambia Bureau of Standards, a specialized organization, serves the country in the field of standardization, quality control, quality assurance and import and export quality inspections. There are other specialized government departments at the borders performing various functions in relation to the implementation of resolution 1540 (2004).

**Challenges**

15. Despite the measures described above, the country has faced the following challenges, among others, in implementing resolution 1540 (2004):

- The long stretch of some borders with neighbouring countries has made it difficult to prevent the illegal importation and exportation of prohibited materials
- The lack of state-of-the-art equipment at some border points for use in screening people and materials entering the country
- Insufficient training of some law enforcement officers at the borders

16. In this regard, there is need for assistance in the following areas, among others:

- The provision of equipment at some borders for the identification of items that could be used for weapons of mass destruction, including dual-use materials
- Training in customs-related work by the World Customs Organization
- Training of personnel dealing with chemical, biological, radiological and nuclear materials
- Guidance in drafting a national action plan for the implementation of resolution 1540 (2004)
- Legislative drafting for obligations under the nuclear, biological and chemical weapons treaties and the elements related to resolution 1540 (2004).

**Conclusion**

17. Zambia does not produce, process or stockpile chemical, biological and nuclear weapons. The country is committed to multilateral cooperation within the framework of the Organization for the Prohibition of Chemical Weapons, the Biological and Toxin Weapons Convention and IAEA so as to achieve common objectives in the area of non-proliferation of nuclear, biological and chemical weapons as well as to promote international cooperation for peaceful purposes. Adequate resources and assistance should be provided for developing countries. The important visit by the Security Council Committee established pursuant to resolution 1540 (2004) has given impetus to Zambia to accelerate the implementation of the resolution.

**Contact**

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